

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF TEXAS
MARSHALL DIVISION**

<p>ANALYTICAL TECHNOLOGIES, LLC,</p> <p style="text-align: center;">Plaintiff,</p> <p style="text-align: center;">v.</p> <p>AMERICAN DAIRY QUEEN CORPORATION,</p> <p style="text-align: center;">Defendant.</p>	<p style="text-align: center;">CASE NO. 2:24-cv-00445-JRG (LEAD CASE)</p>
<p>ANALYTICAL TECHNOLOGIES, LLC,</p> <p style="text-align: center;">Plaintiff,</p> <p style="text-align: center;">v.</p> <p>STARBUCKS CORPORATION,</p> <p style="text-align: center;">Defendant</p>	<p style="text-align: center;">CASE NO. 2:24-cv-00448-JRG (MEMBER CASE)</p>

**STARBUCKS CORPORATION’S OPPOSED MOTION FOR
HEARING ON MOTION TO COMPEL DISCOVERY RESPONSES
AND FOR ATTORNEYS’ FEES PURSUANT TO RULE 37 (DKT. NO. 93)**

Defendant and Counterclaim Plaintiff Starbucks Corporation (“Starbucks”) respectfully files this Opposed Motion for Hearing on Motion to Compel Discovery Responses and for Attorneys’ Fees Pursuant to Rule 37 (Dkt. No. 93) and would show the Court as follows:

On February 7, 2025, this Court set for hearing Counterclaim Defendant Leigh M. Rothschild’s (“Mr. Rothschild”) Motion to Dismiss Counterclaims 1, 2, 3, and 4 Directed at Him [Dkt. No. 52] (“Motion to Dismiss”) (Dkt. No. 86) on February 24, 2025. At this time, Starbucks respectfully requests that the Court set Starbucks’ Motion to Compel Discovery Responses and for

Attorneys' Fees Pursuant to Rule 37 ("Motion to Compel") (Dkt. No. 93) for hearing on February 24, 2025.

Starbucks represents that good cause exists for the relief requested in this Motion. The subject matter of Mr. Rothschild's Motion to Dismiss as well as Starbucks' Motion to Compel have substantial overlap which suggests the utility of a joint hearing. Additionally, a joint hearing will promote judicial efficiency because it will limit the expenditure of the Parties' and the Court's limited judicial resources.

Counsel for Starbucks met and conferred with counsel for Plaintiff Analytical Technologies, LLC ("AT"), and counsel for AT indicated that AT is opposed to the relief sought in this Motion.

Accordingly, Starbucks respectfully requests that the Court grant this Opposed Motion and enter an order setting Starbucks' Motion to Compel for hearing on February 24, 2025.

Dated: February 14, 2025

Respectfully submitted,

/s/ Rachael Lamkin

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Counsel for Starbucks Corporation

CERTIFICATE OF CONFERENCE

The undersigned hereby certifies that counsel for Starbucks met and conferred with counsel for AT to discuss the substantive relief sought in this Motion pursuant to Local Rule CV-7(h). Counsel for AT indicated that AT is opposed to the relief sought in this Motion.

/s/ Rachael Lamkin

Rachael Lamkin

CERTIFICATE OF SERVICE

The undersigned hereby certifies that all counsel of record who are deemed to have consented to electronic service are being served with a copy of the foregoing document via the Court's CM/ECF system per Local Rule CV-5(a)(3) this February 14, 2025.

/s/ Melissa R. Smith

Melissa R. Smith